

PTO/SB/90 (06-00)

Approved for use through 10/31/2002. OMB 0631-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST  
FOR  
CONTINUED EXAMINATION  
(RCE)  
TRANSMITTAL**

Subsection (e) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1993.

See The America's Inventors Protection Act of 1999 (AIPA).

<i>Application Number</i>	09/469,717
<i>Filing Date</i>	12/21/1999
<i>First Named Inventor</i>	Hugh L. Narciso
<i>Group Art Unit</i>	3762
<i>Examiner Name</i>	K. Drosch
<i>Attorney Docket Number</i>	ETH1623

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(e) (PTO/SB/28) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Prosecution Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14855 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - iii.  Other
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required.)
- b.  Other

**3. Fees** - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0780.
  - i.  RCE fee is required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of Time (37 C.F.R. §§ 1.136 and 1.17)
  - iii.  Other
- b.  Check in the amount of \$\_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (print/type)	Brian S. Tomko	Registration No.	41,349
Signature	<i>[Signature]</i>	Date	7/21/04

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being faxed to the United States Patent & Trademark Office at (703) 305-  
9306 on 7/21/04

Name (print/type)	Brian S. Tomko	Date	7/21/04
Signature	<i>[Signature]</i>		

DOCKET NO. ETH1623

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hugh L. Narciso, Jr.

RECEIVED  
CENTRAL FAX CENTER

Serial No.: 09/469,717

Art Unit: 3762

Filed : December 21, 1999

Examiner: K. Drosch

For : Anastomosis Device

JUL 21 2004

I hereby certify that this correspondence is being faxed to the  
United States Patent & Trademark Office at (703) 672-9396 on

OFFICIAL

July 21, 2004

(Date of Deposit)

Brian S. Tomko  
(Name of Applicant, Assignee, or Registered Representative)

  
(Signature)

July 21, 2004

(Date or Signature)

Commissioner For Patents  
Washington, D.C. 20231

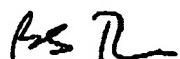
PETITION FOR EXTENSION OF TIME  
AND AUTHORIZATION TO CHARGE  
DEPOSIT ACCOUNT THEREFOR

Dear Sir:

Applicant(s) petition(s) the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated January 21, 2004 for three(3) month(s) from April 21, 2004 to July 21, 2004. An Amendment responding to the aforesaid Office Action is being filed concurrently herewith.

Please charge Deposit Account No. 10-0750/ETH1623/BST in the name of Johnson & Johnson for the cost of filing this Petition.

Respectfully submitted,

  
Brian S. Tomko  
Reg. No. 41,349  
Attorney for Applicant(s)

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-1239  
DATE: July 21, 2004